

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

U.S. TRUST COMPANY, N.A.,

Plaintiff,

v.

ROBERT S. STOLAR,

Defendant.

Civil Action No. 07-cv-7357 (WHP)

DEFENDANT'S MOTION FOR ADMISSION OF JOSEPH A. DOUGHERTY, ESQUIRE
AND ANDREW J. SHAPREN, ESQUIRE, PRO HAC VICE

Defendant, by and through its attorney Stuart P. Slotnick, Esquire, hereby moves this Court to admit, *pro hac vice*, Joseph A. Dougherty, Esquire and Andrew J. Shapren, Esquire, to be permitted to argue or try the above-captioned case in whole or in part as counsel or advocate before this Court in connection with the above-referenced matter, and in support thereof, assert the following:

1. Counsel herein, Stuart P. Slotnick, Esquire, is licensed in the practice of law in the State of New York. He is duly and regularly admitted to practice in and before the United States District Court of the Southern District of New York. He has not been and is not subject to any disciplinary proceedings in any jurisdiction. He is a Shareholder with the law firm of Buchanan Ingersoll & Rooney PC and maintains an office at One Chase Manhattan Plaza, 35th Floor, New York, New York 10005. He has been retained to represent Defendant as counsel of record in connection with the above-captioned matter.

2. Joseph A. Dougherty and Andrew J. Shapren are also attorneys in the law firm of Buchanan Ingersoll & Rooney PC.

3. Mr. Dougherty is a member in good standing of the bar of the Commonwealth of Pennsylvania. *See* Dougherty affidavit annexed hereto.

4. Mr. Shapren is a member in good standing of the bar of the Commonwealth of Pennsylvania. *See* Shapren Affidavit annexed hereto.

5. Mr. Dougherty and Mr. Shapren have never been the subject of any disciplinary action in any court.

6. Admission of Mr. Dougherty and Mr. Shapren to this Court, *pro hac vice*, is permitted by Local Rule 1.3(c) of the United States District Court of the Southern District of New York.

7. I certify that all of the foregoing statements are true. I understand that if any of the foregoing statements are wilfully false, I may be subject to punishment.

8. If the within motion is granted, the undersigned counsel will remain as counsel of record for the Defendant and will sign stipulations and receive payments upon judgment, decrees or orders.

WHEREFORE, Defendant respectfully requests that this Court enter an order granting its motion for admission of Joseph A. Dougherty and Andrew J. Shapren, *pro hac vice*, in connection with the above-captioned lawsuit.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By: 

Stuart P. Slotnick (SS 1964)
Attorneys for Defendant Robert S. Stolar
One Chase Manhattan Plaza, 35th Floor
New York, New York 10005-1417
Tel: (212) 440-4400
Fax: (212) 440-4401
E-mail: stuart.slotnick@bipc.com

Dated: August 30, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

U.S. TRUST COMPANY, N.A.,)	
)	
Plaintiff,)	
	)	Civil Action No. 07-cv-7357 (WHP)
v.)	
	)	DECLARATION OF STUART P. SLOTNICK
ROBERT S. STOLAR,	)	IN SUPPORT OF THE APPLICATION FOR
	)	<i>PRO HAC VICE</i> ADMISSION OF JOSEPH
Defendant.	)	A. DOUGHERTY, ESQUIRE AND ANDREW
	)	P. SHAPREN, ESQUIRE

STUART P. SLOTNICK, declares under penalty of perjury:

1. I am an attorney duly admitted to practice before the courts of the state of New York, and I am a Shareholder in the law firm of Buchanan Ingersoll & Rooney PC, attorneys for Defendant Robert S. Stolar.

2. As set forth in the Affidavits of Joseph A. Dougherty and Andrew J. Shapren, copies of which are attached hereto, Mr. Dougherty and Mr. Shapren are members in good standing with the Bar of the Commonwealth of Pennsylvania.

3. The original Certificate in Good Standing issued by the Bar of the Commonwealth of Pennsylvania to Mr. Dougherty is attached to his affidavit as Exhibit A.

4. The original Certificate in Good Standing issued by the Bar of the Commonwealth of Pennsylvania to Mr. Shapren is attached to his affidavit as Exhibit A.

5. I have known both Mr. Dougherty and Mr. Shapren since June 1, 2007 and believe them to be skilled attorneys and persons of integrity.

6. There are no pending disciplinary proceedings against me in any State or Federal Court.

7. It is respectfully requested that the applications to admit Mr. Dougherty and Mr. Shapren *pro hac vice* be granted. A proposed Order is filed herewith.

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 30, 2007



STUART P. SLOTNICK (SS 1964)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

U.S. TRUST COMPANY, N.A.,)	
)	
Plaintiff,)	
	)	Civil Action No. 07-cv-7357 (WHP)
v.)	
)	
ROBERT S. STOLAR,)	
)	
Defendant.)	
_____)	

AFFIDAVIT OF JOSEPH A. DOUGHERTY

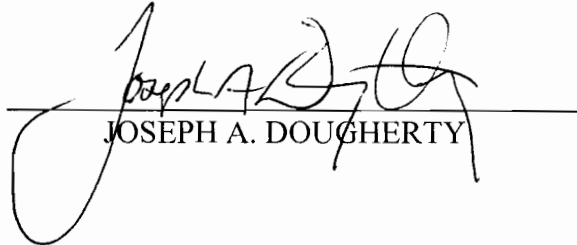
COMMONWEALTH OF PENNSYLVANIA)
	)ss:
COUNTY OF PHILADELPHIA)

I, JOSEPH A. DOUGHERTY, being duly sworn, depose and state:

1. I am an attorney and active member in good standing of the bar of the Commonwealth of Pennsylvania. A certificate of the Supreme Court of Pennsylvania dated August 24, 2007 stating that I am a member in good standing of the bar of the Commonwealth of Pennsylvania is attached hereto as Exhibit "A".
2. I am a shareholder with the law firm of Buchanan Ingersoll & Rooney PC, located at 1835 Market Street, 14th Floor, Philadelphia, Pennsylvania 19103-2985.
3. I am a 1987 graduate of Temple University School of Law.
4. Associated and appearing with me in this action is Stuart P. Slotnick, Esquire, who is licensed in the practice of law in the State of New York and maintains an office at One Chase Manhattan Plaza, 35th Floor, New York, New York 10005, and who is duly and regularly admitted to practice before the United States District Court for the Southern District of New York and the courts of the State of New York.

5. The Commonwealth of Pennsylvania accords comity and courtesy of practice to attorneys of other states.

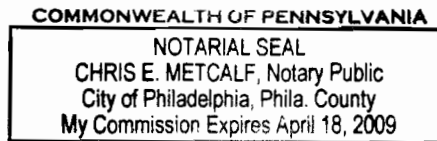
6. I submit myself to all disciplinary procedures applicable to New York attorneys.


JOSEPH A. DOUGHERTY

SUBSCRIBED AND SWORN TO before me this 29th day of August, 2007, by Joseph A. Dougherty who is personally known to me.


Notary Public

MY COMMISSION EXPIRES:





Supreme Court of Pennsylvania

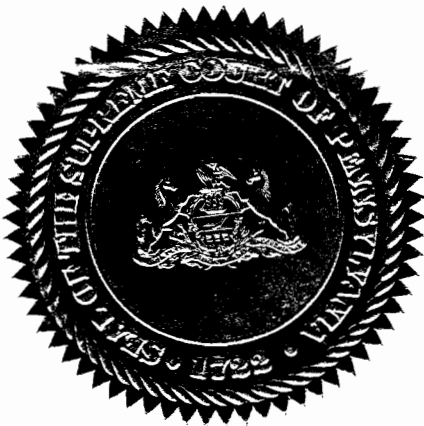
CERTIFICATE OF GOOD STANDING

Joseph A. Dougherty, Esq.

DATE OF ADMISSION

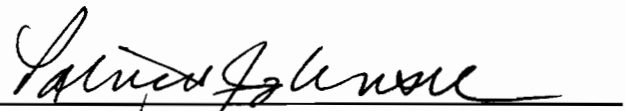
November 20, 1987

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: August 24, 2007


Patricia A. Johnson
Chief Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

U.S. TRUST COMPANY, N.A.,)	
)	
Plaintiff,)	
	)	Civil Action No. 07-cv-7357 (WHP)
v.)	
)	
ROBERT S. STOLAR,)	
)	
Defendant.)	
_____)	

AFFIDAVIT OF ANDREW J. SHAPREN


COMMONWEALTH OF PENNSYLVANIA)
	)ss:
COUNTY OF PHILADELPHIA)

I, ANDREW J. SHAPREN, being duly sworn, depose and state:

1. I am an attorney and active member in good standing of the bar of the Commonwealth of Pennsylvania. A certificate of the Supreme Court of Pennsylvania dated August 22, 2007 stating that I am a member in good standing of the bar of the Commonwealth of Pennsylvania is attached hereto as Exhibit "A."
2. I am associated with the law firm of Buchanan Ingersoll & Rooney PC, located at 1835 Market Street, 14th Floor, Philadelphia, Pennsylvania 19103-2985.
3. I am a 2003 graduate of Temple University School of Law.
4. Associated and appearing with me in this action is Stuart P. Slotnick, Esquire, who is licensed in the practice of law in the State of New York and maintains an office at One Chase Manhattan Plaza, 35th Floor, New York, New York 10005, and who is duly and regularly admitted to practice before the United States District Court for the Southern District of New York and the court of the State of New York.

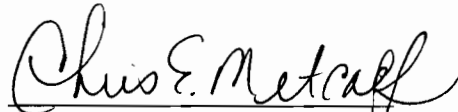
5. The Commonwealth of Pennsylvania accords comity and courtesy of practice to attorneys of other states.

6. I submit myself to all disciplinary procedures applicable to New York attorneys.



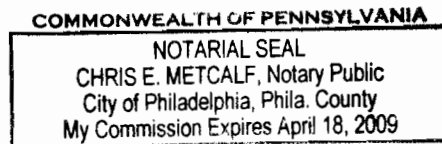
ANDREW J. SHAPREN

SUBSCRIBED AND SWORN TO before me this 29th day of August, 2007, by Andrew J. Shapren who is personally known to me.



Notary Public

MY COMMISSION EXPIRES:





Supreme Court of Pennsylvania

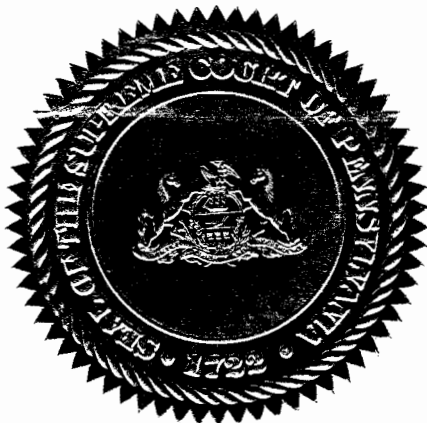
CERTIFICATE OF GOOD STANDING

Andrew J. Shapren, Esq.

DATE OF ADMISSION

October 24, 2003

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal
Dated: August 22, 2007**


Patricia A. Johnson
Chief Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. TRUST COMPANY, N.A.,

Plaintiff,

-against-

ROBERT S. STOLAR,

Defendant.

X

Civil Action No.: 07 CV 7357 (WHP)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK }
 } ss.:
COUNTY OF NEW YORK }

Louis Costanzo, being duly sworn, deposes and says:

1. That deponent is over 18 years of age and is employed at Buchanan Ingersoll & Rooney PC, One Chase Manhattan Plaza, New York, New York 10005, attorneys for Plaintiffs.

2. That on August 30, 2007, I served a true copy by U.S. First Class Mail of

Defendant's Motion for Admission of Joseph A. Dougherty, Esquire and Andrew J.

Shapren, Esquire, *Pro Hac Vice* upon the following attorney:

Mark W. Stoutenburg, Esq.
Gibbons PC
One Pennsylvania Plaza
37th Floor
New York, New York 10119



Louis Costanzo

Sworn to before me this
30th day of August, 2007



NOTARY PUBLIC

ELLIOT J. BLUMENTHAL
Notary Public, State of New York
No. 02BL5037221
Qualified in Nassau County
Commission Expires Dec. 19, 2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

U.S. TRUST COMPANY, N.A.,)	
)	
Plaintiff,)	
	)	Civil Action No. 07-cv-7357 (WHP)
v.)	
	)	ORDER
ROBERT S. STOLAR,)	
)	
Defendant.)	
_____)	

The motion for the admission of Joseph A. Dougherty, Esquire and Andrew J. Shapren, Esquire to practice *pro hac vice* in this case is granted. The admitted attorneys, Joseph A. Dougherty and Andrew J. Shapren, are permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee within ten business days.

This Order confirms Joseph A. Dougherty's and Andrew J. Shapren's appearance as counsel in this case, and the appearances will be entered on the Court's docket. A notation of the admission *pro hac vice* for this case will be made on the roll of attorneys.

The attorneys admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Ordered this ____ day of September, 2007.

United States District Judge